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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/965,426
Applicant : Gary R. DelDuca *et al.*
Filed : September 27, 2001
Title : Modified Atmospheric Packages and Methods for Making the Same

TC/A.U. : 1761
Examiner : Robert A. Madsen

Docket No. : 47097-01106USC1

AMENDMENT TRANSMITTAL

Commissioner for Patents
Mail Stop Fee Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment-Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313 on the date indicated below:

October 14, 2004
Date

Adrienne White
Adrienne White

Dear Commissioner:

Transmitted herewith is the Amendment and Response to Office Action dated June 14, 2004 for this application.

The Applicants are other than a small entity.

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136 apply.

The Applicants believe that a one month extension of time is required.

The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below.

| | Claims Remaining | Highest No. Paid For | Extra | Small Entity | Large Entity |
|---------------------------------------|---------------------|-------------------------|-------|--------------|-----------------|
| Total | 77 | 112 | x | \$ 9 = \$ | \$ 18 = \$1,476 |
| Independent | 5 | 7 | x | \$ 43 = \$ | \$ 86 = \$ 344 |
| Multiple Dependent Claim Presented | | | | \$ 140 = \$ | \$ 280 = \$ 0 |
| TOTAL ADDITIONAL FEE | | | | | \$ 0.00 |

A check in the amount of \$110.00 is enclosed for a one month extension of time.

The Commissioner is hereby authorized to charge any additional fees that may be required (except the issue fee) while this application is pending, to Deposit Account No. 10-0447 (47097-01106USC1). A duplicate copy of this Transmittal is enclosed for that purpose.

Respectfully submitted,



Date: October 14, 2004

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